
SENATE BILL No. 221

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-1-11.

Synopsis: Warning to pregnant women of tobacco use. Requires tobacco vending machines and establishments that sell tobacco to post a notice that states that smoking by pregnant women may result in fetal injury, premature birth, and low birth weight.

Effective: July 1, 2008.

Simpson

January 8, 2008, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

C
o
p
y



Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE BILL No. 221

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 35-46-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 11. (a) A tobacco vending machine that is located in a public place must bear ~~a~~ **the following** conspicuous ~~notice~~ **notices**:

(1) **A notice:**

(A) that reads as follows, with the capitalization indicated: "If you are under 18 years of age, YOU ARE FORBIDDEN by Indiana law to buy tobacco from this machine."; or

~~(2)~~ (B) that:

~~(A)~~ (i) conveys a message substantially similar to the message described in ~~subdivision (1)~~ **clause (A)**; and

~~(B)~~ (ii) is formatted with words and in a form authorized under the rules adopted by the alcohol and tobacco commission.

(2) **A notice that reads as follows, "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight."**



C
o
p
y

(b) A person who owns or has control over a tobacco vending machine in a public place and who:

(1) fails to post ~~the a~~ notice required by subsection (a) on ~~his the~~ vending machine; or

(2) fails to replace ~~the a~~ notice within one (1) month after it is removed or defaced;

commits a Class C infraction.

(c) An establishment selling tobacco at retail shall post and maintain in a conspicuous place, ~~a sign,~~ **at the point of sale, signs** printed in letters at least one-half (1/2) inch high, reading as follows:

(1) "The sale of tobacco to persons under 18 years of age is forbidden by Indiana law.".

(2) **"Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight."**

(d) A person who:

(1) owns or has control over an establishment selling tobacco at retail; and

(2) fails to post and maintain the sign required by subsection (c); commits a Class C infraction.

C
o
p
y

